

for a state building or group of state buildings in accordance with the purposes of this division shall in no case be less than one-half of one percent of the total estimated cost of such building or group of buildings. This percentage allocation shall not be diminished by professional fees. By September 1 annually, the contracting officer or principal user shall submit to the department of cultural affairs the total amount of state financial assistance expended in accordance with this section during the previous fiscal year. If deemed in the best interests of the citizens, funds allocated for the acquisition of fine arts may be accumulated over more than one appropriation or fiscal period or combined to complete significant projects, ~~however, this sentence does not authorize interproject transfers. The total estimated cost of the fine arts elements included in a plan and specifications for a state building or group of state buildings in accordance with this section shall be included by the department of cultural affairs in calculating the amount of state financial assistance for the arts for purposes of national ranking surveys.~~ By January 1 annually, the department of cultural affairs shall submit a summary of the total amount of state financial assistance expended in accordance with this section and for which state buildings the assistance was expended.

Sec. 2. Section 304A.12, Code 2009, is amended to read as follows:

304A.12 Separate contract.

Contracts for the fine arts elements shall be executed within the limits of the actual costs as determined by section 304A.10. Funds shall be transferred to the arts division for administration of the program. All expenses related to the acquisition of the fine arts elements shall be contracted for separately by the ~~arts division~~ contracting agency or principal user with the funds allocated for these purposes.

Approved March 15, 2010

CHAPTER 1042

CRIMINAL HISTORY CHECKS AND CHILD CARE PROVIDERS

H.F. 2283

AN ACT relating to the requirements for national criminal history record checks for child care providers.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 237A.5, subsection 2, paragraph d, subparagraph (1), Code Supplement 2009, is amended to read as follows:

(1) For a person subject to a record check, in addition to any other record check conducted pursuant to this subsection, the person's fingerprints shall be provided to the department of public safety for submission through the state criminal history repository to the United States department of justice, federal bureau of investigation for a national criminal history check. The department may adopt rules specifying criteria in the public interest for requiring the national criminal history check shall of a person to be repeated every four years.

Approved March 15, 2010

CHAPTER 1043

DETENTION IN A BROTHEL

H.F. 2286

AN ACT relating to the criminal offense of detention in a brothel.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 272.2, subsection 14, paragraph b, subparagraph (1), subparagraph division (b), subparagraph subdivision (iii), Code Supplement 2009, is amended by striking the subparagraph subdivision.

Sec. 2. Section 692A.102, subsection 1, paragraph b, subparagraph (1), Code Supplement 2009, is amended by striking the subparagraph.

Sec. 3. REPEAL. Section 709.7, Code 2009, is repealed.

Approved March 15, 2010

CHAPTER 1044

SIMULATED PUBLIC INTOXICATION

H.F. 2287

AN ACT relating to the criminal offense of simulated public intoxication.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 123.46, subsection 2, Code 2009, is amended to read as follows:

2. A person shall not use or consume alcoholic liquor, wine, or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place except premises covered by a liquor control license. A person shall not possess or consume alcoholic liquors, wine, or beer on public school property or while attending a public or private school-related function. A person shall not be intoxicated ~~or simulate intoxication~~ in a public place. A person violating this subsection is guilty of a simple misdemeanor.

Sec. 2. Section 123.46, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. A person shall not simulate intoxication in a public place. A person violating this subsection is guilty of a simple misdemeanor.

Approved March 15, 2010

CHAPTER 1045

COWL LAMPS ON MOTOR VEHICLES

H.F. 2288

AN ACT repealing the simple misdemeanor offense relating to the use of cowl lamps on motor vehicles.

Be It Enacted by the General Assembly of the State of Iowa: